

JUDICIAL COUNCIL MEETINGS
Administrative Office of the Courts
San Francisco, California
Open to the Public (except where otherwise noted)

AGENDA

February 17, 2005 Issues Meeting and Executive Session
Sir Francis Drake Hotel
3:00–5:30 p.m.

3:00–4:30 p.m. Issues Meeting:

- *Follow-Up Educational Briefing Regarding Judicial Education Issues*
Ms. Karen Thorson, CJER
Hon. George J. Abdallah, Jr.
Hon. Fumiko Hachiya Wasserman

4:30–5:30 p.m. Executive Session:

- *Update on Recent and Pending Negotiations with the Legislature and Executive Branch on Legislative and Other Matter*
[Closed session]
Ms. Christine M. Hansen, Finance Division
Ms. Kathleen T. Howard, Office of Governmental Affairs
Mr. William C. Vickrey, Administrative Director of the Courts

February 18, 2005 Business Meeting
8:30 a.m.–12:30 p.m.

8:30–8:45 a.m. Public Comment Related to Trial Court Budget Issues*
[Subject to requests]

*This time is reserved for public comment on discussion agenda items relating to trial court budgets.

8:45–8:50 a.m. Approval of Minutes of December 10, 2004
[Minutes Tab]

8:50–9:00 a.m. Foundation of the State Bar of California Presentation
Ms. Pauline Weaver, President, Board of Directors, Foundation of the State Bar of California
Mr. Roderick McLeod, Vice-President, Board of Governors, the State Bar of California

9:00–9:30 a.m. **Judicial Council Committee Presentations**
Executive and Planning Committee
 Hon. Richard D. Huffman, Chair
Policy Coordination and Liaison Committee
 Hon. Marvin R. Baxter, Chair
Rules and Projects Committee
 Hon. Laurence Donald Kay, Chair
 [Council Committee Reports Tab]

Consent Agenda (Items 1–6)

(If you wish to request that any item be moved from the Consent Agenda to the Discussion Agenda, please notify Dennis Blanchard at 415-865-7455 at least 48 hours before the meeting.)

Item 1 **Report of Trial Court Expenditures for Fiscal Year 2003–2004**
(Action Required)

Government Code section 68502.5(b) requires the Judicial Council to report prior year trial court expenditures to the Legislature on an annual basis. AOC staff recommends that the council approve the Report of Trial Court Expenditures for Fiscal Year 2003–2004.

Staff: Mr. Stephen Nash, Finance Division

Item 2 **Child Support Commissioner and Family Law Facilitator**
Program: Midyear Funding Reallocation for Fiscal Year 2004–
2005 (Action Required)

The Family and Juvenile Law Advisory Committee recommends that the council approve the reallocation of non–trial court funding to local courts for the child support commissioner and family law facilitator program. The funds for this program are provided by a cooperative agreement between the California Department of Child Support Services (DCSS) and the Judicial Council. Two-thirds of these funds are federal funds and the remaining one-third are state General Funds (non–trial court funding).

Staff: Mr. Michael L. Wright and Ms. Ruth K. McCreight,
 Center for Families, Children & the Courts

Item 3 **JusticeCorps Program: Initial Update on Implementation**
(Action Required)

This is an informational report on the early implementation of the new California JusticeCorps program.

Staff: Ms. Martha Wright, Executive Office Programs Division

Item 4

Conflict of Interest Codes for Administrative Office of the Courts and Habeas Corpus Resource Center (Action Required)

Staff recommends that the council amend the conflict of interest codes for the AOC and the Habeas Corpus Resource Center by including certain new job classifications in the codes. This will ensure compliance with the Political Reform Act by requiring employees whose financial interests could be materially affected by decisions they make to file statements of economic interests.

Staff: Mr. Mark Jacobson, Office of the General Counsel

Item 5

Judicial Council Jury Instructions: Approve Publication of Revisions and Additions to Civil Instructions (Action Required)

The Advisory Committee on Civil Jury Instructions recommends approval of the publication of revisions to the Judicial Council of California Civil Jury Instructions that were first published in September 2003 and last amended in October 2004. The instructions would be added or revised to improve clarity and accuracy.

Staff: Ms. Lyn Hinegardner, Office of the General Counsel

Item 6

Default Judgment: Technical Revisions to *Request for Entry of Default* (revise form 982(a)(6)) (Action Required)

Staff: Ms. Cara Vonk, Office of the General Counsel

AOC staff recommends that the council revise mandatory form 982(a)(6), *Request for Entry of Default (Application to Enter Default)*, to provide adequate space for completing requested information under items 1 and 6b. The council revised the default form effective January 1, 2005. In the process of making those revisions, formatting changes were made to the form that inadvertently deleted space needed for a couple of the responses.

Discussion Agenda (Items 7–11)

Item 7

9:30–10:00 a.m.

Court Reporting Services: Final Report of the Reporting of the Record Task Force (Action Required)

The Reporting of the Record Task Force recommends the acceptance of its final report and adoption of its recommendations concerning the following: uniformity of the transcript format; establishment of standardized word rates for transcript fees; development of an online system to deliver, maintain, and store electronic transcripts; court control of and responsibility for electronic transcripts; statewide training for reporters; and designation and preparation of specific paper transcripts for civil appeals. These recommendations further a number of the goals identified in the council's strategic plan. Specifically, the recommendations address the goals of broadening access to the courts, ensuring that justice is administered in an efficient manner, reducing the expense of litigation through simplification and standardization of court practices, and utilizing technology to enable the courts to collect and process information.

Presentation (15 minutes)

Speakers: Administrative Presiding Justice James A. Ardaiz,
Chair

Ms. Christine Patton, Bay Area/Northern Coastal
Region

Ms. Pat Sweeten, Executive Office Programs Division

Discussion/Council Action (15 minutes)

10:00–10:05 a.m.

Ms. Bonnie Hough, Center for Families, Children & the Courts will provide an introduction for Items 8 and 9.

Item 8

10:05–10:30 a.m.

Equal Access Fund: A Report to the Legislature (Action Required)

The Legal Services Trust Fund Commission recommends that the Judicial Council approve the *Equal Access Fund: A Report to the Legislature*. The report explains how these funds are administered and describes the accomplishments of the programs receiving funding. The report makes the following three recommendations: (1) While the Equal Access Fund has been a tremendous success in addressing serious legal needs of low-income Californians, if the fund is to truly fulfill its purpose, it needs to be expanded significantly to build on the statewide legal aid network that serves low-income people; (2) additional funding is needed to expand the legal aid–court partnership self-help projects that have benefited the courts, low-income litigants, and the public at large; and (3) ongoing

evaluation is needed in order to continue to improve the delivery of legal assistance to low-income and marginalized Californians.

Presentation (15 minutes)

Speakers: Associate Justice Maria P. Rivera, Chair
Mr. James Mensing, Center for Families, Children & the Courts

Discussion/Council Action (10 minutes)

10:30–10:45 a.m. **BREAK**

Item 9

10:45–11:05 a.m.

Model Self-Help Pilot Programs: A Report to the Legislature (Action Required)

The Task Force on Self-Represented Litigants recommends that the Judicial Council accept the *Model Self-Help Pilot Programs: A Report to the Legislature*. The report describes five self-help centers that were designed to address specific problems identified by the courts in providing self-help services. The report describes the strategies used by the programs to overcome these barriers. It recommends that the Judicial Council continue to implement the *Action Plan for Serving Self-Represented Litigants* approved in February 2004, which calls for the establishment of self-help centers in all courts and makes specific recommendations for the implementation of those centers.

Presentation (10 minutes)

Speakers: Associate Justice Kathleen E. O’Leary, Chair
Ms. Deana Piazza, Center for Families, Children & the Courts

Discussion/Council Action (10 minutes)

Item 10

11:05 a.m.

–12:00 p.m.

Budget Act of 2004: Allocation of Discretionary Funding Authorized in Accordance With Item 0450-001-0932, Provision 8, of the Budget Act of 2004 and the Remaining Retirement and Security Funding Not Yet Allocated From Budget Act of 2004 (Action Required)

Staff present recommendations for allocation of the following: (1) the \$73.816 million authorized by Item 0450-001-0932 of Provision 8 of the Budget Act of 2004 to provide funds to meet the various needs of the trial courts, including the need to negotiate local memoranda of understanding with recognized bargaining agents and to meet other salary, benefit, and unresolved pay parity (i.e., Los Angeles, Contra Costa, and Alameda courts) unification needs of the

trial courts; (2) the remaining retirement funding from the Budget Act of 2004 (Stats. 2004, ch. 208) which has not yet been allocated; and (3) the remaining \$4.34 million in contract security funding from the Budget Act of 2004. These are all current-year funding items that need to be addressed before the end of the fiscal year.

Presentation (25 minutes)

Speaker: Mr. Stephen Nash, Finance Division

Discussion/Council Action (30 minutes)

Informational Items

Item 11

12:00–12:30 p.m.

Statewide Administrative Infrastructure Initiatives (No Action Required)

This item provides the Judicial Council with the current status of various statewide administrative infrastructure initiatives, including those initiatives in the areas of financial services, human resources, information technology, and legal services.

Presentation (20 minutes)

Speakers: Ms. Christine M. Hansen, Finance Division
Ms. Pat Sweeten, Executive Office Programs Division
Ms. Patricia M. Yerian, Information Services Division
Ms. Sheila Gonzalez, Southern Regional Office

Discussion/Council Action (10 minutes)

Circulating Orders Since Last Business Meeting

[Circulating Orders Tab]

Judicial Council Appointment Orders Since Last Business Meeting

[Appointment Orders Tab]